

## **MINUTES**

### **INDIANA STATE BOARD OF DENTISTRY**

**DECEMBER 5, 2008**

#### **I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Dr. Williams called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

##### **Board Members Present:**

Galen Williams, D.D.S., President  
Jill Burns, D.D.S., Vice President  
Matthew Miller, D.D.S., Secretary  
Laverne Whitmore, L.D.H., B.S.  
Richard T. Newton, D.D.S.  
Gary Haller, D.D.S.  
Theodore Rokita, D.D.S.  
Philip Catey, D.D.S.  
Steven Hollar, D.D.S.  
Charles Heape, D.D.S.  
Clance LaTurner, Consumer Member

##### **Board Members Absent:**

##### **State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Kristine Yarde, Assistant Board Director, Professional Licensing Agency  
Heather Hollcraft, Case Manager, Professional Licensing Agency  
Liz Brown, Deputy Attorney General, Office of the Attorney General

#### **II. ADOPTION OF THE AGENDA**

A motion was made and seconded to adopt the agenda.

BURNS/LaTURNER  
Motion carried 11-0-0

#### **III. ADOPTION OF THE MINUTES FROM THE OCTOBER 3, 2008 MEETING OF THE BOARD**

A motion was made and seconded to adopt the minutes of the October 3, 2008 meeting of the Board.

HALLER/LaTURNER  
Motion carried 11-0-0

#### **IV. APPEARANCES**

##### **A. PROBATIONARY**

1. Tammy Bacon, L.D.H., License No. 13005564A  
Administrative Cause No. 2008 ISDB 0005

Ms. Bacon appeared before the Board, as requested, regarding her ongoing probationary status. She had previously mailed a letter to the Board stating that she can no longer afford to pay \$65.00 per session for counseling at Alpha Resources. She asked the Board to allow her to go to AA meetings since they are free and she has never worked that program before. Ms. Bacon told the Board she would see about the group director submitting monthly reports to the Board. The Board explained she is supposed to have a signed contract with a program and she will have to request an administrative hearing to modify the terms of her probation order in order for the AA program to be acceptable. The Board noted the hearing will be scheduled for the January 9, 2009 meeting.

**2. James W. Cahillane, D.D.S., License No. 12007586A**  
Administrative Cause No. 2004 ISDB 0006

Dr. Cahillane's probation appearance has been rescheduled for the January 9, 2009 meeting.

**3. Teresa Michelle Goodman, D.D.S., License No. 12010271A**  
Administrative Cause No. 2006 DB 0003

Dr. Goodman appeared before the Board, as requested, regarding her ongoing probationary status. She advised there are no changes with her medication, address, or employment. She noted that things continue to go very well for her. She informed the Board that as part of her Delaware County criminal probation she is required to give a talk about her experience. She spoke with the IDA to discuss arranging her to speak to the senior dental students at Indiana University School of Dentistry.

**4. Trevor Treasure, D.D.S., License No. 12010719A**  
Administrative Cause No. 2007 ISDB 0002

Dr. Treasure appeared before the Board, as requested, regarding his probationary status. He reported no changes to his medication or address. Dr. Treasure reported that due to numerous circumstances, Clarian Medical Staff Executive Committee recommends that his clinical privileges and medical staff membership at Clarian facilities be revoked. This includes Methodist, Riley and University Hospitals. He stated that it was based upon holding a probationary license. It was required that he must have an active and unrestricted license to practice according to their interpretation of the hospitals' rules. Dr. Treasure is now working full time at IUSD supervising the senior dental students. He advised that he has not received his DEA reinstated as of this date. Dr. Treasure was advised that the Board has not received a report from Dr. P. Ryan Moe, M.D. He stated he would contact Dr. Moe to have his report sent.

**B. APPLICATION**

**1. Nataliya V. Myronenko-Davids,**

Ms. Myronenko-Davids was requested to appear at this meeting to discuss her alleged cheating on the law exam she took on October 28, 2008. Heather Hollcraft, Case Manager for the Dental Board was present and was the proctor of that examination. She explained to the Board she saw Ms. Myronenko-Davids look at the answer sheet of the dental hygienist sitting next her three times. Ms. Hollcraft noted that there were three questions which had erasure marks and the new answers matched the answers of the person next to her. Ms. Hollcraft confronted Ms.

Myronenko-Davids immediately after the examination and although she admitted to looking at her neighbor's test she denied changing her answers. Ms. Vaught told the Board she was called up to the exam room to speak with the candidate about the incident and advised her that it would now be up to the Board to decide how to proceed. Ms. Myronenko-Davis is a 2008 graduate of Indiana University Northwest. She has taken and passed the National Boards and North East Regional Board of Dental Examiners (NERB).

**Board Action:** A motion was made and seconded to deny Ms. Myronenko-Davids application for a dental hygiene license based upon the incident at the law examination and failure to appear as requested.

MILLER/WILLIAMS

Motion carried 7-0-0

Dr. Hollar, Ms. Whitmore, L.D.H., B.S., Dr. Burns, and Ms. LaTurner were not present.

## **C. RENEWAL**

### **1. Richetta Anne Willis, L.D.H., License No. 13000436A**

Ms. Willis appeared before the Board regarding the renewal of her dental hygiene license. Ms. Willis's license has been expired since March 1, 1998 and she told the Board she has been trying to renew her license over the past several years. The first two attempts at reapplication for a new license were abandoned because she failed to complete the process within one year. On July 3, 2008 Ms. Willis submitted a new application for a new license but the law had changed on July 1, 2008 removing the reapplication language and instead requiring that a person renew their expired license. Ms. Willis ultimately completed a renewal application, paid the \$150.00 fee, and submitted copies of eighty-four (84) hours of continuing education. The Board noted that she had only completed one continuing education course and a CPR course in the last two years and the rest of the continuing education courses were taken several years ago. The Board commended her on taking the Central Regional Dental Testing Service Examination (CRDTS) computer examination and North East Regional Board of Dental Examiners (NERBS) clinical examination. The Board advised Ms. Willis she still needed to submit more continuing education before her license could be renewed.

**Board Action:** A motion was made and seconded to renew Ms. Willis's dental hygiene license upon receipt of proof of completion of ten (10) hours of continuing education courses which shall include a two (2) hour course in Ethics, Professional Responsibility, and Indiana Jurisprudence.

WHITMORE/BURNS

Motion carried 11-0-0

### **2. Audra Faith Negangard, L.D.H., License No. 13003508A**

Ms. Negangard appeared before the Board regarding the renewal of her dental hygiene license. Ms. Negangard's license expired March 1, 2004 and when she submitted her renewal, fee, and copies of continuing education on October 15, 2008 she submitted a written statement affirming that she has been continuously practicing dental hygiene from March 1, 2004 to the present. She told the Board she has an Ohio license and an Indiana license and in September she was going through her paperwork for her Ohio license and she could not locate a current copy of her Indiana license. She stated she contacted the Professional Licensing Agency by telephone

and learned that her license had been expired since March 1, 2004. She said she had worked since that time for Dr. Doug Reuter in Aurora, Indiana as a dental hygienist. The Board asked her if Dr. Reuter was aware she had been practicing the last four years on an expired license and she stated he was not aware her license expired and he does not ask to see copies of their current license. Ms. Negangard told the Board she has not told him because she wanted to wait and see what happened with the Board. The Board asked her if she stopped practicing in September when she learned her license was expired and Ms. Negangard stated she has continued to work to the present time.

**Board Action:** A motion was made and seconded to renew Ms. Negangard's dental hygiene license.

MILLER/WHITMORE  
Motion carried 11-0-0

**Board Action:** A motion was made and seconded to file a complaint with the Attorney General's Office against Ms. Negangard for practicing without a valid license for March 1, 2004 to the present and a complaint against her employer Dr. Doug Reuter for failing to ensure his employee is a properly licensed dental hygienist.

MILLER/BURNS  
Motion carried 11-0-0

## **V. ADMINISTRATIVE HEARINGS**

- A. State of Indiana v. Shannon L. Arnett, D.D.S., License No. 12009105A**  
Administrative Cause No. 2008 DB 0006  
Re: Complaint

**Parties and Counsel Present:**

Respondent was present and was represented by Counsel Carla Carrino  
Christa Jewsbury, Deputy Attorney General for the State of Indiana  
Felicia Warren, Court Reporter

**Participating Board Members:**

Dr. Williams (Hearing Officer)  
Dr. Burns  
Dr. Newton  
Ms. Whitmore, L.D.H., B.S.  
Dr. Hollar  
Dr. Catey  
Dr. Haller  
Dr. Rokita  
Dr. Heape  
Ms. LaTurner

**Case Summary:** The State presented the Board with a proposed settlement agreement with regards to the Complaint filed against the Respondent. The Complaint that was filed on September 2, 2008 states that the Respondent was the Complainant's family dentist for approximately fifteen (15) years. On or about July 2006, Respondent abruptly closed her practice with no advance notice to her patients. Respondent left a note on the door of her closed practice stating an address that patients could write to and receive a copy of their dental records and x-rays for a fee of \$15.00. On or about July 5, 2006, the Complainant sent a check to

the address posted requesting the dental records for herself and her husband. The Complainant never received the dental records and was unsuccessful trying to reach the Respondent by telephone after multiple attempts. The State told the Board that the Respondent did not fully comply with the law pertaining to the discontinuation of a practice but the Respondent did run a front page article that included her picture on both the local and regional newspapers for one week. The article gave the contact information for her current patients to obtain their dental records. The Respondent claimed that the Complainant's request and check were never received and the State advised the check was never cashed so there is no evidence to suggest the Respondent got that request. Furthermore the State noted that the Respondent had successfully provided hundreds of patients with copies of their records. The State's settlement recommendation was to fine the Respondent in the amount of one thousand dollars (\$1,000.00) to be paid within ninety (90) days and require the Respondent to complete six (6) hours of continuing education within one hundred twenty (120) days of receipt of the Final Order. The State noted that Dr. Miller was agreeable to the terms in a settlement conference.

**Board Action:** A motion was made and seconded to accept the Settlement Agreement as proposed.

HEAPE/HOLLAR  
Motion carried 10-0-0  
Dr. Miller recused himself

- B. State of Indiana v. Bryan Eugene Spilmon, D.D.S., License No. 12008986A**  
Administrative Cause No. 2004 DB 0005  
Re: Complaint

**Parties and Counsel Present:**

Respondent was present via telephone conference call  
Mark Mader, Deputy Attorney General for the State of Indiana  
Felicia Warren, Court Reporter

**Participating Board Members:**

Dr. Williams (Hearing Officer)  
Dr. Burns  
Dr. Miller  
Ms. Whitmore, L.D.H., B.S.  
Dr. Hollar  
Dr. Catey  
Dr. Haller  
Dr. Newton  
Dr. Rokita  
Dr. Heape  
Ms. LaTurner

**Case Summary:** The Respondent submitted a letter to the Board and the Attorney General's Office on December 4, 2008 requesting a continuance of the Final Hearing until he is released from prison. The Respondent addressed the Board via a telephone conference call where he stated he is expected to be released to a halfway house in July 2009. The Respondent asked the Board to consider this request as he wants to be able to defend himself in person at the hearing. The State had no objections to the Respondent's request.

**Board Action:** A motion was made and seconded to grant a continuance of the Final Hearing until the Respondent can appear in person. The Respondent must

notify the Board immediately upon his release and advise the earliest day he can travel. If the Respondent fails to do this the Board will take action in the Respondent's absence.

HEAPE/BURNS  
Motion carried 11-0-0

- C. **State of Indiana v. Marci Huth, L.D.H., License No. 13002773A**  
Administrative Cause No. 2006 DB 0005  
Re: Order to Show Cause

**Parties and Counsel Present:**

Respondent was present and was represented by Counsel Chad Hanefeld  
Mark Mader, Deputy Attorney General for the State of Indiana  
Felicia Warren, Court Reporter

**Participating Board Members:**

Dr. Williams (Hearing Officer)  
Dr. Miller  
Dr. Newton  
Dr. Catey  
Dr. Heape  
Dr. Haller  
Dr. Rokita

Please note that the following board members were present at the start of the hearing but left before the hearing had concluded:

Dr. Burns  
Ms. Whitmore, L.D.H., B.S.  
Dr. Hollar  
Ms. LaTurner

**Case Summary:** On November 13, 2007 the Board issued an Order placing the Respondent on Indefinite Probation for six (6) months subject to certain terms and conditions. The Respondent was placed on probation after admitting she forged her employers' signature on a prescription and used it to obtain controlled substances. The Respondent was terminated by that employer on February 13, 2006 and the Respondent failed to admit the termination of employment on the online renewal application she submitted on February 16, 2006. The terms of the Respondent's probation required her to keep the Board apprised of her address and telephone number and shall notify the Board within seventy-two (72) hours of any changes. The Respondent shall keep the Board apprised of the name of her employer and the address and telephone number of her employer and shall notify the Board within seventy-two (72) hours of any changes. The Respondent shall submit monthly supervisory reports from any and all dental employer(s). Said reports should address Respondent's attendance and work performance. Finally, prior to petitioning for withdrawal of probation, Respondent shall pay a FINE, payable to the Professional Licensing Agency, in the amount of two hundred fifty dollars (\$250.00).

On October 20, 2008 the Board issued an Order to Show Cause because the Respondent was not in compliance with the terms of her Probation Order. The Board had sent correspondence to Respondent at the last address of record but it was returned as unable to forward, moved and left no address. Respondent failed to submit monthly supervisory reports from any and all dental employer(s) for June, July, August, and September, 2008. The Respondent's Counsel stated that she has not moved and they do not know why the Board's correspondence was returned by

the Post Office. Respondent's counsel called Cindy Vaught, Board Director, as a witness and asked if she had any other proof that the Respondent does not reside at the address of record to which Ms. Vaught replied "no". The State called Ms. Vaught, as a witness to affirm that she is the person charged with monitoring the Respondent's compliance of her Probation Order. With regards to the monthly supervisory reports Ms. Vaught testified on January 16, 2008 she received two reports handwritten by the Respondent. The first report was for November 13, 2007 to December 13, 2007 and the Respondent wrote she was unemployed as a dental hygienist. The second report was for December 13, 2007 to January 13, 2008 and the Respondent wrote she was unemployed as a dental hygienist. On March 14, 2008 Ms. Vaught received a third report handwritten by the Respondent for January 13, 2008 to February 13, 2008 and the Respondent wrote all of her information is current and unchanged. Ms. Vaught clarified that by writing that things are unchanged meant she was still unemployed as a dental hygienist. On June 25, 2008 Ms. Vaught received a fourth report handwritten by the Respondent which she wrote was to cover the months of April and May 2008. The Respondent wrote that she had been unemployed as a dental hygienist. The Respondent included a check for \$250.00 to pay the FINE owed to the Professional Licensing Agency. Ms. Vaught sent a letter to the Respondent on September 9, 2008 notifying her that she had not received monthly supervisory reports for July and August and this was the letter that was returned by the Post Office stating moved left no address, unable to forward. Ms. Vaught stated the next supervisory report she received arrived December 1, 2008 and was typed on Cool Creek Dentistry letterhead. The letter was not signed but the typed name Scott M. Adams, DDS appeared at the bottom. The letter stated that Dr. Adams is the dentist/owner of Cool Creek Dentistry and the Respondent has been employed in his office since January 7, 2008. He wrote that at the time of her hiring she presented him with a copy of her current LDH license and only recently has she informed him of her probationary status and accompanying obligations set forth by the Board. Dr. Adams noted in the letter that he does not know the nature of the facts surrounding the Board's original disciplinary actions. Dr. Adams reported that the Respondent's attendance over the past year has been good and that she has demonstrated a strong commitment to her profession and is very caring toward the patients. He praised her high level of clinical expertise and knowledge about the latest advancements and trends in her profession. Dr. Adams concluded by stating she works well with others and is an overall strong asset to his dental team. Dr. Adams advised he will continue to send monthly reports and assist the Board. The State called the Respondent, Marci Huth, as a witness. Respondent testified that she worked for Dr. Adams on a temporary basis approximately two (2) days a week since January 7, 2008. She said she started working approximately three (3) days a week in June and was not given full-time status until November 5, 2008. The Respondent said she did tell Dr. Adams she was on Probation when he hired her and she does not know why in his letter he claims to have only recently been told this. Respondent stated in the monthly reports she sent to Ms. Vaught she wrote that she was unemployed because she was only working part-time. The Board had questions to which the Respondent replied that she was paid by check and taxes were withheld and the check was from Dr. Adams and not a temporary employment staffing agency. The Respondent's Counsel admitted to the Board that by any technical definition the Respondent was indeed "employed" but in her mind she did not consider herself as such since she was a temporary worker. He stated that there was no malicious intent on her part to hide her employment. The State questioned the Respondent about the monthly reports noting that they were always late and then stopped completely. The Respondent admitted the reports were late but the factors that caused that were due to her illness for which she takes seven (7) or eight (8) medications, a teenage daughter who was in trouble with the law, and an ex-husband who had a broken neck from a fall and was not working to pay her support. The Respondent stated she stopped sending monthly reports because she thought her

probation expired automatically after six (6) months as long as she paid the Fine. She stated she misunderstood the Order and never read it once she received it in the mail. Respondent said she was not aware there was any problem until she got the Order to Show Cause in the mail in October. Respondent's Counsel appealed to the Board that some of the fault was his in that he did not send her a letter explaining the Board's Order. He stated this is a practice he stopped after several clients complained he was charging them to write a letter that reiterates the Order they already have. Mr. Hanefeld stated the Respondent is a single mother with health issues and if the Board was to suspend or revoke her license it would be financially devastating. He noted he would take personal responsibility in helping her to comply in the future with the Probation Order. The State asked the Respondent about the medications she is taking for her health problems and if any are controlled substances and if so, what kind? The Respondent hesitantly responded that two (2) of the medications she takes are controlled substances, one is for pain and the other is to help her sleep. She stated she does not take them while at work. The Board determined that the Respondent is not in compliance with her Probation Order.

**Board Action:** A motion was made and seconded to modify her current terms of probation based upon her noncompliance. Respondent's license will remain on indefinite probation and she may not petition the Board for withdrawal of probation until after December 5, 2009. She must comply with the following terms and conditions:

1. The Respondent shall submit a monthly report to the Board that includes the following information:
  - (a) The name, address and telephone number of any and all dentists for whom she worked as a dental hygienist during the month.
  - (b) The number of days and hours she worked as a dental hygienist during the month.
  - (c) Her current address and telephone number.
  - (d) A list of the prescribed medications that she is currently taking.The report shall be submitted so that it is received by the Board no later than the first Friday of each month following the month for which the report is made.
2. The Respondent shall ensure that her employer submits monthly supervisory reports to the Board addressing her attendance and work performance. The reports shall be submitted so that they are received by the Board no later than the first Friday of each month following the month for which the report is made.
3. The Respondent shall give a copy of this Order to each supervising dentist where she works while on probation and shall have the supervising dentist sign-off on the Order or otherwise document that a copy of the Order was received from the Respondent. The Respondent shall provide such documentation to the Board.
4. The failure of the Respondent to comply with the requirements of probation may subject her to a show cause hearing before the Board and the imposition of further sanctions, including suspension or revocation of her license.

MILLER/CATEY

Motion carried 7-0-0

Dr. Burns recused herself

Dr. Hollar, Ms. LaTurner, and Ms. Whitmore, L.D.H., B.S. were not present for the vote

## VI. SETTLEMENT AGREEMENTS



There were no settlement agreements before the Board.

## **VII. NOTICE OF PROPOSED DEFAULT**

There were no Notices of Proposed Default before the Board.

## **VIII. OLD/NEW BUSINESS**

There was no old/new business

## **IX. DISCUSSION**

- A.** Ms. Vaught presented the Board with an email listing questions about dental assistants being able to perform various procedures. The Board advised they should not answer these questions and requested Ms. Vaught refers the sender to the law and use discretion where appropriate.
- B. Continuing Education Course from the University of Southern Indiana**  
A course description was submitted from the University of Southern Indiana for their Ethics and Jurisprudence course. The course does cover all areas required by law and the Board determined this was acceptable for the ethics and jurisprudence course requirement.
- C. First District Dental Society**  
The Infection Control, OSHA, and Ethics course offered by the First District Dental Society does not cover all of the required areas and it is not acceptable for their Ethics and Jurisprudence course.
- C.** The Board reviewed an email question from the IDA asking if a dentist who obtains and administers flu shot or flu mist vaccines to employees and patients are considered as operating outside the scope of dentistry. The Boards' response was "yes", dentists who administer flu shots or flu mist vaccines are outside of the scope of practice of dental medicine. It could be considered practicing medicine.
- D.** Dr. Williams discussed the possibility of each board member bringing a laptop to use in the meetings to avoid agendas being copied and so much paper being discarded. He asked them to consider this request and they would discuss at the next meeting.
- E.** The Board reviewed an email from Dr. The Phan asking about the scope of practice that is allowed to single degree oral and maxillofacial surgeons who do not have a medical degree. He listed a variety of cosmetic procedures and wants to know if single degree oral and maxillofacial surgeons can do them. The Board told Ms. Vaught to tell him to contact his own legal counsel because the board has not made a determination regarding his questions but to be careful that he is not practicing medicine.
- F.** Ms. Vaught asked if any Board member is interested in attending and participating in accreditation site visits for an Ivy Tech dental hygiene program in Columbus, Indiana April 7 - 8, 2009 and the other one on April 9 - 11, 2009. Dr. Rokita stated he would like to attend the accreditation at the Gary program and Dr. Newton offered to look at the information.
- G. 2008 Continuing Education Audit**

There were 67 dentists chosen and of those 55 successfully complied and 12 were non-compliant. It was noted that most of the dentist who were noncompliant did not complete the ethics course within the renewal period. There were 72 dental hygienists chosen and of those 68 successfully complied and 4 were non-compliant. One issue with the dental hygienist who were noncompliant was that courses were taken outside of the renewal period.

## **X. APPLICATION REVIEW**

### **A. Endorsement**

#### **1. Bruce Henry Hmurovic, D.M.D.**

The Board reviewed Dr. Hmurovic's application file by endorsement. Dr. Hmurovic is a 1992 graduate of Boston University. He has taken and passed the National Boards in 1991 and 1992 and North East Regional Board of Dental Examiners (NERB) in 1993 and 1994. He is currently licensed in the state of Illinois and California. On his application he answered "yes" to question #7 asking, "Have you ever had a malpractice judgment against you or settled any malpractice action?" Dr. Haller reviewed the positive response statement submitted by Dr. Hmurovic concerning a 2005 settlement which Dr. Haller felt was not a concern for the Board.

**Board Action:** A motion was made and seconded to grant Dr. Hmurovic a dental license upon passing the law examination.

HALLER/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore,  
L.D.H., B.S. were not present

#### **2. Sara Sarraj, D.D.S.**

The Board reviewed Dr. Sarraj's application file by endorsement. Dr. Sarraj is currently licensed and practicing in Illinois. She attended a graduate program in Advanced General Dentistry at Northwestern University in 1997 but has not attended an accredited dentistry program and received a D.D.S. or D.M.D. degree. Ms. Vaught explained to the Board that her education is not acceptable under Indiana law because she has not graduated from an accredited school with a D.D.S. or D.M.D. degree.

**Board Action:** A motion was made and seconded to deny Dr. Sarraj's application for a dental license.

NEWTON/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore,  
L.D.H., B.S. were not present

#### **3. Steven Spiers Dobbs, D.D.S.**

The Board reviewed Dr. Dobbs application file by endorsement. Dr. Dobbs is a 2005 graduate of the University of Mississippi. He has taken and passed the National Boards in 2002 and 2004 and a Florida state constructed examination in 2005. He is currently licensed in the state of Florida. Dr. Dobbs took a Florida state constructed clinical exam instead of a regional examination. The Board reviewed the score

report and determined they will accept this examination to satisfy his examination requirement.

**Board Action:** A motion was made and seconded to grant Dr. Dobbs a license upon passing the law examination.

HEAPE/HALLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore,  
L.D.H., B.S. were not present

**B. Examination**

There were no examination applications to review.

**C. Anesthesia and Sedation Permits**

There were no anesthesia permits to review.

**D. Dental Intern Permit**

There were no dental intern permits to review.

**E. Mobile Dental Facility**

There were no mobile dental facility applications to review.

**F. Instructors License**

There were no instructors' license applications to review.

**G. Professional Corporations**

There were no professional corporation applications to review.

**XI. RENEWALS**

There were no renewals.

**XII. PROBATIONARY/CONDITIONAL LICENSE REPORT**

**A. Penelope Lynn Dunlap, D.D.S.**

Dr. Hollar noted she is mostly in compliance with the Probation Order but has failed to write an article and give a talk to the senior dental students discussing her conduct. Dr. Dunlap was scheduled to give for her presentation before the senior students at Indiana University on December 1, 2008. The Dean requested an outline of her presentation. After review of the outline her presentation was cancelled.

**Board Action:** A motion was made and seconded to send Dr. Dunlap a letter requesting her to make a personal appearance at the January 9, 2009 meeting. At the appearance she is to bring with her the speaking outline she created for her presentation at the Dental School and proof that she has written an article.

HOLLAR/BURNS

Motion carried 11-0-0

**B. Daniel J. Fink, D.D.S.**

The Board reviewed Dr. Fink's on-site supervisors report from Dr. Ruthie Jimerson. The Board stated there are some elements of the report that will need to be addressed when Dr. Fink and Dr. Jimerson appear at the January 9, 2009 meeting. They felt that the submission of submitting 9 or 10 customer satisfaction cards leaves too much unsaid. They want to know how many patients Dr. Fink sees in a week and although it is fine to submit customer satisfaction cards there should be a date of service and submitting only a few suggests only the best are being picked out and given to the Board. The Board will remind Dr. Jimerson of her requirements to personally report on Dr. Fink's general attitude toward staff and patients, his professionalism and ethics, whether he has been in a room without a staff member present and if so to explain those circumstances, and whether he has been in the office with staff or patients when Dr. Jimerson was not present and if so, explain the circumstances. The report Dr. Jimerson submitted did not contain this information and mostly discussed the trouble Dr. Fink is having with insurance companies not allowing him to be a preferred provider.

**C. Christopher Leonard, D.D.S.**

Dr. Rokita reviewed Dr. Leonard's probationary file. His report from the Indiana Dental Well-Being Program for October and November 2008 were reviewed and accepted. His report from his work site monitor, Jerry Hickman, D.D.S. was reviewed. Correspondence from Dr. Leonard dated November 5, 2008 was also reviewed. At his October 3, 2008 probationary appearance the Board had several questions and concerns regarding the process that was being used by Dr. Hickman to review his patient files. Dr. Leonard explained his new process for review of his files by Dr. Hickman. Dr. Leonard's next appearance will be January 9, 2009.

**D. Bland Pope Walker, D.D.S.**

Dr. Rokita reviewed Dr. Walker's probationary file. His report from the Indiana Dental Well-Being Program for October and November 2008 was reviewed and accepted.

**E. James Cahillane, D.D.S.**

Dr. Rokita reviewed Dr. Cahillane's probationary file. His report from the Indiana Dental Well-Being Program for October and November 2008 was reviewed and accepted. Dr. Cahillane's next appearance was scheduled for today but per his request it was rescheduled for January 9, 2009.

**XIII. CONTINUING EDUCATION**

**A. Mark W. Gardner**

The Board reviewed an application and documentation from Mark W. Gardner to be a provider of continuing education until March 2, 2010. It was determined that there are several documents missing and that information needs to be submitted for further review.

**Board Action:** A motion was made and seconded to table the Board's decision on Mark W. Gardner's application.

NEWTON/MILLER  
Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore, L.D.H., B.S.  
was not present

**B. Central Indiana Periodontal Associates**

The Board reviewed an application and documentation from Central Indiana Periodontal Associates to be a provider of continuing education until March 2, 2010.

**Board Action:** A motion was made and seconded to approve Central Indiana Periodontal Associates as a continuing education provider until March 2, 2010.

NEWTON/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore, L.D.H., B.S.  
was not present

**C. Whip Mix Laboratory Services**

The Board reviewed an application and documentation from Whip Mix Laboratory Services to be a provider of continuing education until March 2, 2010.

**Board Action:** A motion was made and seconded to approve Whip Mix Laboratory Services as a continuing education provider until March 2, 2010.

NEWTON/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore, L.D.H., B.S.  
was not present

**D. Kosciusko County Dental Society**

The Board reviewed an application and documentation from Kosciusko County Dental Society as a study club to be a provider of continuing education until March 2, 2010.

**Board Action:** A motion was made and seconded to approve Kosciusko County Dental Society as a study club continuing education provider until March 2, 2010 upon the Boards' receipt of a copy of their by-laws.

NEWTON/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore, L.D.H., B.S.  
was not present

**E. The Greater Lafayette Study Club & Greater Lafayette Dental Hygiene Study Club**

The Board reviewed an application and documentation from The Greater Lafayette Study Club & Greater Lafayette Dental Hygiene Study Club to be a provider of continuing education until March 2, 2010.

**Board Action:** A motion was made and seconded to approve The Greater Lafayette Study Club & Greater Lafayette Dental Hygiene Study Club as a continuing education provider until March 2, 2010.

NEWTON/MILLER

Motion carried 7-0-0

Dr. Hollar, Ms. LaTurner, Dr. Burns, and Ms. Whitmore, L.D.H., B.S.  
was not present

**XIV. REPORTS**

There were no reports given by the Board.

**XVI. ASSOCIATION REPORTS**

**A. Indiana Dental Association**

The IDA did not give a report.

**B. Indiana Dental Hygiene Association**

The IDHA did not give a report.

**XVII. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Dentistry adjourned at 1:30 p.m.

  
Galen Williams, D.D.S., President

11/9/09  
Date

  
Matthew Miller, D.D.S., Secretary

11/9/09  
Date